HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.10443 of 2006

Dt. 25-05-2006

Between

Cherukumudi Prabhakar Rao and others.

… Petitioners

and

The District Collector, Nellore, Nellore District. And others.

… Respondents

O R D E R:

The petitioners are the owners and pattadars of the land in S.Nos.336/1.D and 338 respectively situated at Patur village, Kovur Mandal, Nellore District. They complain that the respondents are trying to take possession of the said land for the purpose of distributing it as house sites. They alleged that no proceedings have been initiated other than land acquisition proceedings.

2. Heard the learned counsel for the petitioners and the learned Government Pleader.

3. The Government can take possession of properties of private individuals only

after initiating proceedings under the Land Acquisition Act or by undertaking private negotiations. The respondents herein cannot be permitted to dispossess or otherwise interfere with the rights of the petitioners' vis-à-vis possession of the said land without initiating proceedings under law.

4. Hence, it is hereby directed that the respondents shall not interfere with the possession of the petitioner, over the land referred to, except following the due procedure prescribed under law.

The writ petition is disposed of accordingly. No costs.

25th May 2006

bcs